

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.21663 OF 2002

Dated 20th April 2007

Between:

A.P.State Road Transport Corporation,
Musheerabad, Hyderabad, rep.by its Managing
Director.

...Petitioner

and

State Transport Authority, A.P. Hyderabad,
Rep.by its Secretary & Joint Transport
Commissioner & others.

...Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.21663 OF 2002

ORDER:

This writ petition is filed by the APSRTC, complaining that respondents 1 and 2 are granting permits, additional singles in respect of such Stage Carriage permits, and extension of routes on number of Inter-State routes, detriment to the interests. Their grievance is that in spite of repeated requests, respondents 1 and 2 did not furnish the copies of the permits, so as to pursue their remedies.

Heard the learned Standing Counsel for the petitioner, learned Government Pleader for Transport and learned counsel for the respondents.

This writ petition had a chequered career. A specific direction was issued by this court on 22.4.2003, directing respondent 1 and 2, to furnish particulars of the permits, on the routes in question, to the petitioner Corporation. The

2nd respondent, however, addressed letter dated 22.5.2003, stating that connected records could not be traced. This court took note of the same, and passed an order dated 12.9.2003, prohibiting grant of additional singles and renewal of permits. Subsequently, the order came to be modified, at the instance of one respondent, or the other.

The limited purpose, for which the petitioner filed this writ petition, was to secure the copies of the permits granted to respondents 3 to 27, so that it can pursue the remedies, before the concerned statutory authority. Since it has now emerged that the relevant records are not available, there is no point in keeping the writ petition pending. Further, the petitioner cannot be denied the remedy also. It can be permitted to approach the State Transport Appellate Authority, by filing appeals or revisions, as the case may be, *vis-à-vis* permits, that are said to be adversely affecting its interests. Inasmuch as the copies of permits are not available, even according to the respondents, it shall be open to the petitioner, to file an appeal or revision, without enclosing copies. Such of the respondents, who are in possession of the copies of such permits, may be required to file the same, if they want to defend their claims.

It is represented that aggrieved by some of the renewals, revisions have already been filed before the State Transport Appellate Authority.

Hence, the writ petition is disposed of, directing that;

- a) It shall be open to the petitioner, to assail the very grant of permits, through a fresh revision, or in the revisions filed against the renewals.
- b) In case, fresh revisions are filed within four weeks from today, the Tribunal shall receive the same, without insisting on furnishing of the copies of permits and raising any objection, as to limitation.

There shall be no order as to costs.

20th April 2007

Note: Issue C.C. in one week.
(B/o)
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